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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,937	05/02/2001	Uzi Lev-Ami	EQPN 1000-1	6166
22470	7590	10/05/2004	EXAMINER	
HAYNES BEFFEL & WOLFELD LLP			SWEARINGEN, JEFFREY R	
P O BOX 366			ART UNIT	
HALF MOON BAY, CA 94019			PAPER NUMBER	
			2145	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,937

Applicant(s)

LEV-AMI ET AL.

Examiner

Jeffrey R. Swearingen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The preliminary amendment filed 28 April 2004 has been entered into the record.
2. Claims 1-18 are pending.

Specification

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Because no apparatus is claimed, the following title is suggested: Method for Two Phase Structured Message to Tagged Message Translation.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 17 and 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

2. Claim 17 refers to "applying business logic processing" in line 12. "Business logic processing" is vague and indefinite. In the interest of compact prosecution, Examiner is citing art that is close to the limitations of the claim as it now stands. See *In re Steele*, 305 F.2d 859, 134 USPQ 292 (CCPA 1962)

8. Claim 18 recites the limitations "tagging of structured, non-XML messages to form field tagged messages" and "applying business logic processing to data in the structured, non-XML message" in claim 17. There is insufficient antecedent basis for this limitation in the claim. In the interest of compact prosecution, Examiner is citing art that is close to the limitations of the claim as it now stands. See *In re Steele*, 305 F.2d 859, 134 USPQ 292 (CCPA 1962)

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Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-2 rejected under 35 U.S.C. 102(e) as being anticipated by Lektion et al. (U.S. Patent No. 6,446,110)
11. Pertaining to claim 1, Lektion teaches conversion [Figure 4] of a raw datastream [Figure 12] to a XML data stream [Figure 13]. This is interpreted by Examiner as being equivalent to receiving a data stream of structured messages, including context-setting messages and context-sensitive messages, said context-sensitive messages being meaningful only when matched with corresponding context-setting messages, said structured messages having one or more fields adapted to match the context-setting messages with the corresponding context-sensitive messages; tagging the structured messages with XML tags corresponding to the structure of the messages; matching the XML tagged context-setting messages with the corresponding XML tagged context-sensitive messages, utilizing the fields; and generating context-insensitive XML retagged messages, the context-insensitive XML retagged messages having XML tags corresponding to the context of the context-sensitive message; and outputting the context-insensitive XML retagged messages. Applicant's specification refers to context-setting messages as inquiries and context-sensitive messages as responses. [Specification, page 3, lines 9-10] This is equivalent to an attribute pair [Lektion, column 9, line 10] that describes an attribute name

[context-setting] and an attribute value [context-sensitive]. Converting the data stream involves tagging it. Combining the attribute names and values is equivalent to matching the XML tagged context-setting messages with the corresponding XML tagged context-sensitive messages, utilizing the fields; and generating context-insensitive XML retagged messages, the context-insensitive XML retagged messages having XML tags corresponding to the context of the context-sensitive message. The XML context-insensitive message [all XML documents are context-insensitive because they do not depend on anything for their sensitivity] is output in Figure 4.

12. Pertaining to claim 2, Lektion is applied as in claim 1. Lektion further teaches the context-setting messages include variable identifiers for variables to be reported [column 9, line 10, attribute name]; the context-sensitive messages report values for the variables, said report messages including variable values but not the variable identifiers [column 9, line 10, attribute value]; and generating XML retagged messages including generating XML tags corresponding to the variable identifiers and values corresponding to the variable identifiers [Figure 4, converting the datastream to an XML datastream].
13. Pertaining to claim 4, Lektion is applied as in claim 1. Lektion further teaches the context-setting messages include report definition messages and report trigger messages, said report definition messages including a report identifier and one or more variable identifiers and said report trigger messages including an event identifier and one or more report identifiers [column 9, line 10, attribute name, where the attribute name can stand for any attribute, including a report identifier, a variable identifier, and an event identifier]; the context-sensitive messages include report messages generated upon occurrence of an event associated with the event identifier, said report messages including the report identifier identifiers [column 9, line 10, attribute name, where the attribute name can stand for any attribute, including a report identifier, a variable identifier, and an event identifier] and variable values but not the variable identifiers [column 9, line 10, attribute value, where attribute value can stand for the variable value]; and generating XML retagged

- messages includes generating XML tags corresponding to the variable identifiers and reporting the variable values. [Figure 4, converting the datastream to an XML datastream].
14. Pertaining to claim 6, Lektion is applied as in claim 1. Lektion further teaches the context-setting messages include report definition messages, said report definition messages including a report identifier and one or more variable identifiers; [column 9, line 10, attribute name. An attribute can be either a report identifier or a variable identifier, and can be named as such.]; the context-sensitive messages report values for the variables, said report messages including variable values but not the variable identifiers [column 9, line 10, attribute value]; and generating XML retagged messages including generating XML tags corresponding to the variable identifiers and values corresponding to the variable identifiers and the variable values [Figure 4, converting the datastream to an XML datastream].
15. Pertaining to claim 17, Lektion teaches conversion [Figure 4] of a raw datastream [Figure 12] to a XML data stream [Figure 13]. This is interpreted by Examiner as being equivalent to tagging the structured, non-XML messages with XML tags corresponding to the structure of the messages; interpreting content and the structure of the structure tagged message to identify fields of the structure tagged messages; generating field tagged messages from the structure tagged messages, said field tagged messages having XML tags corresponding to the identified fields of the structure tagged messages; and applying business logic processing to the field tagged messages utilizing tools adapted to processing XML formatted messages. The host server and web server [Figure 4, items 422 and 420] provide other services to the XML formatting which are considered business logic for purpose of compact examination.
16. Pertaining to claim 18, Lektion is applied as in claim 17. Lektion discloses tagging of structured, non-XML messages to form field tagged messages precedes applying business logic processing to data in the structured, non-XML message. [Figure 4 has the host server and web server, considered here as business logic for purposes of compact examination, included in the mid-tier server with the XML server that converts the datastream. The mid-tier server may support a web

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server and a host server [column 6, lines 32-65], but no limitations are given as to what the order of processing can or cannot be.]

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
18. Claims 3, 5, 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lektion and further in view of Burney (U.S. Patent No. 4,829,445).
19. Pertaining to claim 3, Lektion is applied as in claim 2 above. Lektion discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream to an XML datastream] Lektion fails to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
20. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
21. Lektion converts a datastream to XML with various variable identifiers and values. It would be useful to look up what the variable identifiers mean in different environments, such as in the manufacturing system taught by Burney that includes a lookup table. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a look up table in a XML datastream converter to assist in identifying variables during the conversion and tagging process.
22. Pertaining to claim 5, Lektion is applied as in claim 4 above. Lektion discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream to an XML

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- datastream] Lektion fails to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
23. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
24. Lektion converts a datastream to XML with various variable identifiers and values. It would be useful to look up what the variable identifiers mean in different environments, such as in the manufacturing system taught by Burney that includes a lookup table. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a look up table in a XML datastream converter to assist in identifying variables during the conversion and tagging process.
25. Pertaining to claim 7, Lektion is applied as in claim 6 above. Lektion discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream to an XML datastream] Lektion fails to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
26. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
27. Lektion converts a datastream to XML with various variable identifiers and values. It would be useful to look up what the variable identifiers mean in different environments, such as in the manufacturing system taught by Burney that includes a lookup table. It would be useful to know which variables were which while reports were being run, including those that can be described by attribute names taught by Lektion. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a look up table in a XML datastream converter to assist in identifying variables during the conversion and tagging process.

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28. Pertaining to claim 8, Lektion is applied as in claim 1. Lektion fails to disclose the structured messages are compliant with a SECS standard.
29. Burney discloses structured messages that are compliant with a SECS standard. [Burney, column 91, lines 31-34 refer to a message header structure defined to match the definition of the SECS Standard.]
30. Lektion is useful in a distributed data processing system using a broad variety of hardware, including other peripheral devices [column 4, lines 38-41]. Burney discloses using a messaging system with a manufacturing system connected to a network [Figure 1], which would qualify as a peripheral device. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to use Lektion for the manufacturing system Burney intended by using a SECS standard.
31. Pertaining to claim 9, Lektion and Burney are applied as in claim 8. Burney fails to disclose the context-setting messages include variable identifiers for variables to be reported; the context-sensitive messages report values for the variables, said report messages including variable values but not the variable identifiers; and generating XML retagged messages includes generating XML tags corresponding to the variable identifiers and the variable values.
32. Lektion further teaches the context-setting messages include variable identifiers for variables to be reported [column 9, line 10, attribute name]; the context-sensitive messages report values for the variables, said report messages including variable values but not the variable identifiers [column 9, line 10, attribute value]; and generating XML retagged messages including generating XML tags corresponding to the variable identifiers and values corresponding to the variable identifiers [Figure 4, converting the datastream to an XML datastream].
33. Lektion is useful in a distributed data processing system using a broad variety of hardware, including other peripheral devices [column 4, lines 38-41]. Burney discloses using a messaging system with a manufacturing system connected to a network [Figure 1], which would qualify as a peripheral device. Lektion's variables and variable attributes would be useful in Burney to route material to its proper destination as described in Burney. It would have been obvious to one of

ordinary skill in the networking art at the time of the invention to use Lection for the manufacturing system Burney intended by using a SECS standard.

34. Pertaining to claim 10, Lection and Burney are applied as to claim 9. Lection discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream to an XML datastream] Lection fails to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
35. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
36. Lection and Burney are used in conjunction as a messaging system for a manufacturing system. It would be useful to look up received data in a table to match it to the corresponding machine in a large manufacturing system that is networked. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to use Lection for the manufacturing system Burney intended and to include a lookup table in said system.
37. Pertaining to claim 11, Lection and Burney are applied as in claim 8. Burney fails to disclose the context-setting messages include report definition messages and report trigger messages, said report definition messages including a report identifier and one or more variable identifiers and said report trigger messages including an event identifier and one or more report identifiers; the context-sensitive messages include report messages generated upon occurrence of an event associated with the event identifier, said report messages including the report identifier and variable values but not the variable identifiers; and generating XML retagged messages includes generating XML tags corresponding to the variable identifiers and reporting the variable values.
38. Lection further teaches the context-setting messages include report definition messages and report trigger messages, said report definition messages including a report identifier and one or more variable identifiers and said report trigger messages including an event identifier and one or more report identifiers [column 9, line 10, attribute name, where the attribute name can stand for

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any attribute, including a report identifier, a variable identifier, and an event identifier]; the context-sensitive messages include report messages generated upon occurrence of an event associated with the event identifier, said report messages including the report identifier identifiers [column 9, line 10, attribute name, where the attribute name can stand for any attribute, including a report identifier, a variable identifier, and an event identifier] and variable values but not the variable identifiers[column 9, line 10, attribute value, where attribute value can stand for the variable value]; and generating XML retagged messages includes generating XML tags corresponding to the variable identifiers and reporting the variable values. [Figure 4, converting the datastream to an XML datastream].

39. Lection is useful in a distributed data processing system using a broad variety of hardware, including other peripheral devices [column 4, lines 38-41]. Burney discloses using a messaging system with a manufacturing system connected to a network [Figure 1], which would qualify as a peripheral device. Lection's variables and variable attributes would be useful in Burney to route material to its proper destination as described in Burney. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to use Lection for the manufacturing system Burney intended, including for events and reports.
40. Pertaining to claim 10, Lection and Burney are applied as to claim 9. Lection discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream to an XML datastream] Lection fails to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
41. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
42. Lection and Burney are used in conjunction as a messaging system for a manufacturing system. It would be useful to look up received data in a table to match it to the corresponding machine in a large manufacturing system that is networked. It would have been obvious to one of ordinary

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skill in the networking art at the time of the invention to use Lection for the manufacturing system Burney intended and to include a lookup table in said system.

43. Pertaining to claim 13, Lection and Burney are applied as in claim 8. Burney fails to disclose the context-setting messages include report definition messages, said report definition messages including a report identifier and identifiers of variables to be reported; the context-sensitive messages include one or more report messages generated in response to a report demand message, said report messages including the report identifier and variable values but not the variable identifiers; and generating XML retagged messages corresponding to the identifiers of the variables and values corresponding to the values for the variables reported.
44. Lection further teaches the context-setting messages include report definition messages, said report definition messages including a report identifier and one or more variable identifiers; [column 9, line 10, attribute name. An attribute can be either a report identifier or a variable identifier, and can be named as such.]; the context-sensitive messages report values for the variables, said report messages including variable values but not the variable identifiers [column 9, line 10, attribute value]; and generating XML retagged messages including generating XML tags corresponding to the variable identifiers and values corresponding to the variable identifiers and the variable values [Figure 4, converting the datastream to an XML datastream].
45. Lection is useful in a distributed data processing system using a broad variety of hardware, including other peripheral devices [column 4, lines 38-41]. Burney discloses using a messaging system with a manufacturing system connected to a network [Figure 1], which would qualify as a peripheral device. Lection's report identifiers, variables and variable attributes would be useful in Burney to get information about the machines in the manufacturing system as described in Burney. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to use Lection for the manufacturing system Burney intended.
46. Pertaining to claim 14, Lection and Burney are applied as to claim 13. Lection discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream

- to an XML datastream] Lektion fails to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
47. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
48. Lektion and Burney are used in conjunction as a messaging system for a manufacturing system. It would be useful to look up received data in a table to match it to the corresponding machine in a large manufacturing system that is networked. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to use Lektion for the manufacturing system Burney intended and to include a lookup table in said system.
49. Claim 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Lektion and further in view of Lo et al. (U.S. Pub. No. 2004/0123302).
50. Pertaining to claim 15, Lektion teaches a datastream to XML conversion [Figure 4, where the XML conversion is interpreted as tagging the structured, non-XML messages with XML tags corresponding to the structure of the messages; interpreting content and the structure of the structure tagged message to identify fields of the structure tagged messages; generating field tagged messages from the structure tagged messages, said field tagged messages having XML tags corresponding to the identified fields of the structure tagged messages by Examiner]. Lektion fails to disclose checking the field tagged messages for data format and data validity checking utilizing tools adapted to XML formatted messages.
51. Lo teaches checking the field tagged messages for data format and data validity checking utilizing tools adapted to XML formatted messages. [Paragraph 0079 describes checking data validity/relationship, etc. which Examiner interprets as checking field tagged messages for data format and data validity checking utilizing tools adapted to XML formatted messages.]

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52. Lection deals with converting a datastream to XML. Lo also deals with conversion of XML, including data validation. Therefore it would be obvious to one of ordinary skill in the art at the time of the invention to use Lo to validate the data converted to XML by Lection.
53. Claim 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Lection and Lo as applied to claim 15 and further in view of Burney.
54. Pertaining to claim 16, Lection and Lo are applied as in claim 15. Lection discloses generating XML tags corresponding to the variable names. [Figure 4, converting the datastream to an XML datastream] Lection and Lo fail to disclose accessing a dictionary that includes variable names corresponding to the variable identifiers.
55. Burney discloses accessing a dictionary that includes variable names corresponding to the variable identifiers. [Burney, column 96, Table 19 refers to comparing the received string to the SVID table, which is interpreted by Examiner as accessing a dictionary that includes variable names corresponding to the variable identifiers.]
56. Lection and Lo are used to convert a datastream to XML and validate its contents. Burney has a lookup table to aid in translating variables in the datastream to their appropriate XML values. It would have been obvious to one of ordinary skill in the networking art at the time of the invention to use Lection and Lo with Burney to implement a XML conversion scheme with data validation and a lookup table to ensure data integrity through the conversion process.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

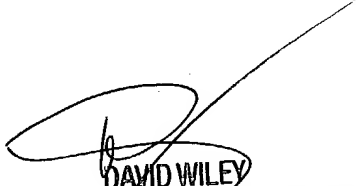
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Jeffrey R. Swearingen
Examiner
Art Unit 2143

jrs



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100